

MINUTES
EAST NAPLES FIRE CONTROL AND RESCUE DISTRICT
BOARD OF FIRE COMMISSIONERS MEETING

April 8, 2014

I. Meeting Opened

Chairman Hemping called to order the regular meeting of the East Naples Fire Control and Rescue District's Board of Fire Commissioners at 5:30 PM on April 8, 2014 at the Fire Code Office, 2700 North Horseshoe Drive, Naples, FL 34104. Present were Chairman Hemping, Commissioner's Cross, Cottiers, Boyer and Page. In attendance were Fire Chief Schuldt, Director Bishop, DC Biondo, Division Chief Hanson, Administrative Assistant Packard, Administrative Assistant Chesser, George Danz, Jim Burke, Chris Tobin and Michael Ramsey. Others were in attendance but did not sign.

A. Pledge of Allegiance and Invocation

Chairman Hemping opened the meeting with the Pledge of Allegiance followed by the invocation.

B. Line of Duty Deaths Reading and Moment of Silence

Chief Schuldt stated that there were a total of 12 FF fatalities for the month of March, bringing the total for 2014 to 33 followed by a moment of silence.

C. Additions and Deletions to the Agenda

Director Bishop requested that the Fire Code MOU with Collier County be added to II. E. (2) and that II. E. be moved under Awards and Recognition. In addition, Director Bishop requested that III. D. be brought up when BC Krajewski arrives.

D. Approval of the Agenda

Commissioner Cross moved to approve the amended agenda. Commissioner Boyer seconded the motion. Motion passed 5-0.

E. Approval of the Board Minutes for March 11, 2014 - Regular Meeting

Commissioner Cross moved to approve the minutes for the March 11, 2014 regular meeting. Commissioner Boyer seconded the motion. Motion passed 5-0.

F. Consent Agenda

Commissioner Boyer moved to approve the consent agenda. Commissioner Cottiers seconded the motion. Motion passed 5-0.

1. ENFD's Treasurer Report
2. FCO's Treasurer Report
3. Operations Report – Assistant Chief Sapp
4. Administration and Finance Report- Director Bishop
5. Logistics Report - Deputy Chief Biondo
 - a) Fire and Life Safety Report - Division Chief Hanson
6. Fire Code Officials Office - FCO Ed Riley
7. Atta Boys
 - A. Jarett Cotter- Patient Thank you

G. Awards and Recognition

1. Completion of Probation - FF Bradley Packard
Chief Schuldt recognized Bradley Packard for the completion of probation. He was awarded his badge and helmet by his parents.
2. 10 Year Service Award - Lead Mechanic Jamie Popiol
Not in attendance.
3. 10 Year Service Award - Deputy Fire Code Official Margaret Jani
FCO Riley presented a plaque to Margaret Jani for her 10 years of service.

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4. Promotion to Driver Engineer - Driver Engineer Lucas Garcia
Not in attendance.

H. Fire Administration - Chief Schuldt

1. Fire Chief's Board Update

Chief Schuldt highlighted on the following:

- AC Chief Sapp is in Indianapolis attending a training improvement conference.
- The joint district last month responded to 1628 incidents.
- The integrations and modifications to responses are continuing for more effective responses.
- The Greater Naples of Commerce received a request to allow the Fire Chief be considered for nomination to the Chamber Board of Directors. After consultation with the Chairmen, the nomination was moved forward and ultimately approved.
- Staff has been extremely busy, at the direction of the Board, on the potential changes to the Fire Code Office operations. Chief Schuldt went on to say that there has been no direction given at this time to dissolve the Fire Code Officials office. ENFD will continue to manage FCO until directed otherwise.
- AFCO Salvaggio and Deputy FCO Ricco Longo have retired from FCO. Chief Schuldt has been in discussions with FCO Riley on vetting some contingency plans to address the void. Chief Schuldt will come back to the Board at a later date with a recommendation. Chief Schuldt also informed the Board that he spoke with NNFD Fire Chief Stolts and was informed that at the NNFD Commission meeting on Thursday, their MOU with potential change and working with the County will be on their agenda for discussion. Chief Schuldt assured the Board that keeping the existing FCO employees employed a priority.
- Received a notice of resignation from GGFD DE Darrell Sapp.
- AC Sapp received a verbal commitment from The Golden Gate Land Trust for the disbursement of up to \$150,000 for the refurbishment of three surplus military vehicles recently acquired from the State. These vehicles will be placed in service as heavy brush units. This item will be moved to the Collier County Commission for final approval.
- ALS participants are currently going through the ALS Academy in anticipation of the ALS Engine Program.

I. Chapter 175 Firefighters' Pension Plan – Chairman Arroyo

Director Bishop informed the Board that the Pension is in the final days of finishing the FY 12-13 audit. Director Bishop also informed the Board that the ENFD audit is scheduled to begin next week.

1. REMINDER- Next meeting Fri. May 9, 2014 @ FCO @ 9am

J. Local 2396 Report – President Chris Tobin

President Chris Tobin highlighted the following:

- ENFD District President Weinbaum has stepped down and work is being done to find a replacement.
- MDA Drive was held raising over \$6000.
- Merger talks with the Immokalee Fire Union have begun. Formal votes have been taken with both unions to begin the process.

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- With regard to the FCO, the Union is open and willing to work with the Chief on anything the Union can do to keep the men and women of FCO working whether with the County or ENFD/GGFD.
- Some minor changes being made to the ALS MOU to make things run smoother for the East Division and close to getting the GGFD ALS program up and running.
- Bargaining session scheduled for Thursday, April 10th.

Chairman Hemping moved to recess the meeting for a break at 6:41 PM. Chairman Hemping reconvened the meeting at 6:53 PM

II. OLD BUSINESS

A. Isles of Capri Consolidation - Commissioner Page/Chief Schuldt

1. CS/HB 949

Director Bishop stated that the Bill has passed through both House Committees and is waiting to be placed on the House calendar. The typographical errors have been corrected as well as the amendment to the voting language. The referendum will be placed on the Primary Election Ballot to be held August 26, 2014.

Chief Schuldt shared his appreciation for all the time and effort Director Bishop and Attorney Varn have worked on the legislation and how this could not have been accomplished without the two of them.

B. GGFD/ENFD Merger - Commissioner Hemping/Chief Schuldt

1. Cost Savings Worksheet

The Joint District has realized a net savings of \$476,686.

2. CS/HB 951

Director Bishop stated that this Bill also has passed through both committees and is waiting to be put on the House calendar.

All typographical errors were changed and fixed. Most importantly the voting language has been amended back to read to take effect only upon the approval of the majority vote of the qualified electors in the East Naples division and if applicable section 202 (the Isles piece), and approval of the majority vote of the qualified electors in the Golden Gate division in a voting referendum to be held in conjunction with a general election to be held in Collier County on November 4, 2014.

Chief Schuldt added that through the merger meetings and town hall meetings he has spoke to over 1200 people at 35 associations. The first town hall meeting in Golden Gate was held March 25th and went very well.

In addition, Chief Schuldt and Chairman Hemping responded to 14 questions submitted by the East Naples Civic Association and will continue to address any questions that come in and will continue to educate the community.

3. Dr. Pat Lynch – Business Alignment Strategies.

Chief Schuldt introduced Dr. Pat Lynch with Business Alignment Strategies, who has written articles on the ENFD/GGFD merger and thanked her for her interest in our endeavor.

Dr. Lynch began by saying that her father lives in Naples and he was the one who brought her attention to the merger. She does work for fire departments and thinks that amazing things are being done with this merger. She incorporates what ENFD/GGFD is doing in her speaking engagements because others need to hear about it. Lots of departments try to merge and are not very successful at it but ENFD/GGFD is doing it

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right. The processes that ENFD/GGFD are using can be used anywhere with any size of department. People are paying attention because ENFD/ GGFD is doing a good job.

Chairman Hemping thanked Dr. Lynch for her support and is excited that the joint district merger is being considered a model to follow across Florida and the nation.

Chairman Hemping went on to say that the merger team is now in the campaign phase of the merger with the help of the Union and others. There has been an internet and social media marketing plan approved and is being implemented between now and the elections. The money for these projects comes from a PACT fund.

C. District Owned Properties Updates - Commissioner Cross

1. U.S. 41 and Outer Drive Vacant Land

Commissioner Cross informed the Board that the appraisal came in at \$885,000 which is lower than the \$1.150 million dollar offer. The appraisal did bring to light a playground associated with a day care located on a small piece of the property to which ENFD receives a payment. Director Bishop has been tasked to see if the playground was there prior to ENFD purchasing the property; if there is any paperwork or lease in regard to this playground or if there are any board minutes referencing this playground. The buyer is still interested but would like the details on the playground.

Director Bishop did state that a former commissioner told her that there was a verbal \$200/month lease that went to a quarterly lease in the same amount and is currently being collected to date.

Commissioner Cross continued by saying that the day care needs to be contacted in order to see if they are interested in purchasing the property being leased. The buyer will need to decide as well what they would like to do with this piece of the property. This will need to be decided before the property can be sold.

At the very least, a formal lease will be brought back by the next meeting.

2. Village Falls 4981 & 4977

Commissioner Cross stated there is an offer for \$96,000 and the appraisal came in at \$135,000. A counter offer in the range of \$110,000 - \$120,000 would be acceptable since we have no use for this office.

3. 951 and Sable Palm Road update

Commissioner Cross informed the Board that he talked to Waterman about the land swap issue. Originally a piece of property that sits at Sable and Melrose was being considered for the swap. They cannot give us that corner since it is plotted out already but there is an offer of a 1.5 acre parcel about 2/3 of a mile down from 951 on Sable. A road or roundabout would have to be built to get to the property plus \$30,000 extra. Commissioner Cross thinks he could get the \$30,000 removed. Chief Schuldt thought it sounded good as long as we are able to use the lake as ENFD's retention.

Commissioner Cross was under the assumption the lake could be used as the property's retention leaving the whole 1.5 acres buildable.

The Board agreed to allow Commissioner Cross to continue on this offer.

D. Fire Chief Performance Review - Chairman Hemping

Chairman Hemping stated that the five commissioners completed a performance evaluation on Chief Schuldt. Chairman Hemping recommended each of the commissioners setting up a one on one meeting with the Chief to go over their particular evaluation. Chairman Hemping requested that each commissioner provide the overall total of their evaluation. Commissioner Boyer scored the Chief a 93/100, Commissioner Page 94/100, Commissioner

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Cross 99/100, Commissioner Cottiers 78/100 and Chairman Hemping 96/100 which comes out to a 92/100 average.

E. Fire Code Office Operational Modifications- Chief Schuldt

1. Interlocal Agreement with Collier County - Commissioner Page
2. MOU with Collier County – Commissioner Page

Commissioner Page presented the final versions of the Interlocal Agreement and MOU with the County in regard to the Fire Code Office to the Board. Commissioner Cross suggested moving ahead on the vote but would like a legal opinion to make sure these documents do not violate any Florida Statutes and to make sure the District is not open to any vulnerability.

Commissioner Cross moved to approve the execution of the MOU dated March 25, 2014 and the Interlocal Agreement, with the County Attorneys stamp, tying in the plans review moving those into the County. Commissioner Page seconded the motion. Motion passed 5-0.

Commissioner Cross moved to approve directing staff get our governmental lawyer to review both documents, once in executed form by the County and staff, to provide an opinion on their validity under Florida law and to point out any issues with the drafting that created any potential liabilities to the District that we did not recognize or see and to make sure we are complainant with the Chief's responsibilities under Chapter 633. This opinion needs to be black or white, not "should be", "could be"; valid under Florida Law and address the problems that need to be addressed or amended once they are fully executed. Commissioner Boyer seconded the motion. Motion passed 5-0.

Chairman Henning did add that he will be taking these documents back to the County and would be happy to take any recommendations that might come from the attorney.

F. Station 20 Lease Agreement with Collier County EMS - Director Bishop

Chief Kopka from EMS presented the Lease Agreement for Station 20 which will house an EMS crew and EMS apparatus for a 60/40 utility split and no cost for rent. This agreement is for a three year term with renewal options. This will be the same lease that will be presented for EMS Station 75 and GGFD.

Commissioner Page moved to approve the Collier County Lease for Station 20.

Commissioner Cottiers seconded the motion. Motion passed 5-0.

III. NEW BUSINESS

A. AIW - Immokalee FD Apparatus Maintenance Agreement- Director Bishop

Director Bishop explained that the fleet maintenance agreement with Immokalee and Big Corkscrew ended. Chief Anderson and staff have been discussing options for contracting apparatus repairs and maintenance with ENFD/GGFD. An agreement was drafted. The draft agreement went before the Immokalee Board in March and was approved. This agreement is unlike the Marco agreement where service must be provided monthly. This agreement is on an as needed basis. The agreement will run initially for six months as a trial and then can be renewed annually.

Commissioner Boyer expressed his concern over entering into this agreement and is uncomfortable with it.

Commissioner Cross moved to approve the Apparatus Maintenance Service Agreement between the East Naples – Golden Gate Fire Districts and Immokalee Fire District on an as needed basis. Commissioner Cottiers seconded the motion. Motion passed 4-1, with Commissioner Boyer dissenting.

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- B. AIW- Nationwide 457 Participant Loan Agreement - Director Bishop**
Director Bishop explained that both ENFD and GGFD offer employees the voluntary option to participate in the Nationwide 457(b) Deferred Compensation Plan through payroll deduction. Several employees have inquired about loan provisions which were not an option when the plans started. Nationwide would handle all of the administration. An employee could borrow up to 50% of their balance. If the employee were to leave employ then the total amount becomes due and payable or the loan goes into default. There is also an option to borrow for the purchase of a home.
Commissioner Cross moved to approve staff's recommendation for employees to participate in the Nationwide Retirement Solutions 457(b) loan provision, allowing for the loan provision to include the purchase of a home. Commissioner Boyer seconded the motion. Motion passed 5-0.
- C. AIW - Mid-Year Budget Review - Director Bishop**
Director Bishop presented the midyear budget review for FY 13-14. Revenue – net change is an increase of \$99,455, Expenses –net change is an increase of \$435,943.
Commissioner Cross moved to approve staff's recommendation and make a motion to approve the midyear amended FY 13-14 General Fund Budget in the amount of \$15,761,247.00. Commissioner Boyer seconded the motion. Motion passed 5-0.
- D. AIW- Gas Air Monitor Purchase Request - Director Bishop and B/C Krajewski**
Director Bishop, along with GGFD BC Krajewski explained the need for the purchase of gas monitors for the Districts. ENFD only has one monitor that is aging and GGFD has four that are being phased out due to age and the inability to purchase repair parts. This purchase will enhance both districts response capabilities to hazard materials as well as firefighter and civilian life safety scenarios. This will allow us to not rely on other districts for these monitors. These were budgeted for.
Commissioner Cross moved to approve staff's recommendation for the purchase of the requested gas monitors and calibration gas in the amount of \$10, 098.06 from budget line item 640-001-000 Capital Outlay – Furniture and Equipment. Commissioner Cottiers seconded the motion. Motion passed 5-0.
- E. AIW- Deputy Fire Marshal Job Classification - Chief Schuldt**
Chief Schuldt presented the Deputy Fire Marshal Job Classification. This position is necessary with transition of the fire plans review. This person will work under Division Chief Hanson. This person will be the liaison between the Inspectors and the County Plan Reviewers.
Commissioner Page moved to approve staff's recommendation to hire a Deputy Fire Marshal at the rank of Captain and to eliminate the current job classification of Captain – Fire Prevention. Commissioner Cottiers seconded the motion. Motion passed 5-0.
- F. Reminder: Next JOINT BOFC meeting May 14, 2014 @ GGFD 6-7pm**
- G. Public Comment**
George Danz – questioned the building on Sable Palm for a fire station or training facility in the middle of a housing development; just thinking that the residents might not be in favor of it. Commissioner Cross responded that this is a good point and gave direction to Director Bishop to make sure that in the deed it is mentioned that this piece of property will be assembled or laid out as a fire station, maintenance facility etc. so that the plans are in the public record for all to see and that way no one can challenge it.
Michael Ramsey – reminded everyone of the next Estates Civic meeting planned for April 16th at 5:00 PM. Discussion will include the future of the area east of 951.

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H. Topics Initiated by the Board of Fire Commissioners

Commissioner Page stated that the Chief is going to meet for discussion on the Ochopee piece. Commissioner Page recommended a commissioner accompany the Chief. Commissioner Cross moved to approve Commissioner Page accompany the Chief on this endeavor to which Commissioner Page agreed.

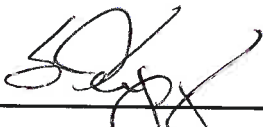
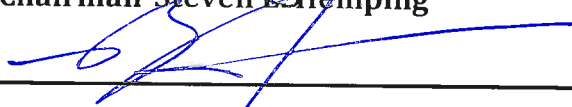
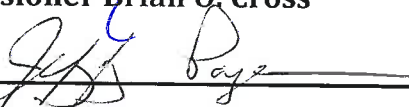
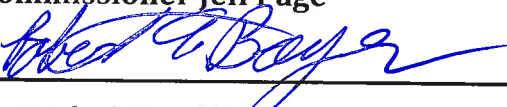

Commissioner Hemping requested the presence of all 5 board members to attend, if possible, the East Naples Town Hall meeting scheduled for Thursday April 10, 2014 at the South Regional Library.

IV. SIGNATURE OF BOARD APPROVED ITEMS

1. Board Minutes for March 11, 2014 - Regular Meeting
2. Interlocal Agreement with Collier County
3. MOU with Collier County
4. Station 20 Lease Agreement wit Collier County
5. Immokalee FD Apparatus Maintenance Agreement
6. Nationwide 457(b) Participant Loan Agreement
7. Job Classification – Deputy Fire Marshal

V. ADJOURNMENT

Commissioner Cross moved to adjourn the meeting at 8:20 PM. Commissioner Boyer seconded the motion. Motion passed 5-0.

 _____	5-13-14
Chairman Steven E. Hemping	Date
 _____	5/13/14
Commissioner Brian O. Cross	Date
 _____	5/13/14
Commissioner Jeff Page	Date
 _____	5-13-14
Commissioner Robert A. Boyer	Date
 _____	5/13/14
Commissioner Charles P. Cottiers	Date